

EXHIBIT A

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF THURSTON

BLAIR SMITH

Plaintiff,

vs.

RYAN CORDERO and SEAMAR COMMUNITY
HEALTH CENTERS

Defendants.

No. 21-2-01254-34

COMPLAINT FOR PROFESSIONAL
NEGLIGENCE

☒ Electing Voluntary Arbitration

☐ Declining Voluntary Arbitration

COMES NOW the Plaintiff, BLAIR SMITH, by and through his attorney Andrew Kim of
PARK CHENAUR & ASSOCIATES, Inc., P.S., and for cause of action against Defendants,
complains and alleges as follows:

I. JURISDICTION, VENUE, AND PARTIES

- 1.1 That at all times material hereto, Plaintiff was a resident of Lacey, Washington.
- 1.2 On information and belief, Defendant Ryan Cordero resides at Lacey, Washington.
- 1.3 On information and belief, Defendant Seamar Community Health Centers employed
Defendant Ryan Cordero as a dentist at their clinic in Lacey, WA.
- 1.4 That all acts and omissions of Defendant as herein complained of occurred in Lacey, WA,
County of Thurston.
- 1.5 That the present action and claim is based upon the provisions of Washington law.

COMPLAINT FOR PROFESSIONAL NEGLIGENCE - 1

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1.6 That this court has full and proper personal jurisdiction over all of the parties hereto and over the subject matter herein.

1.7 That venue is proper in Thurston County Superior Court pursuant to RCW 4.12.020(3).

1.8 That Plaintiff is competent to bring the present action on his own behalf.

1.9 Plaintiff has been provided the provisions of RCW 7.70A.020 and elects to submit to voluntary arbitration at this time.

II. FACTUAL BACKGROUND / CLAIMS FOR NEGLIGENCE

2.1 Plaintiff was suffering from a fractured tooth and saw Defendant Dr. Ryan Cordero at Defendant Seamar Community Health Center on August 3, 2018 to extract the fractured tooth.

2.2 Defendant Dr. Ryan Cordero extracted a tooth, but failed to extract the tooth that was fractured leaving the fractured tooth untreated.

2.3 Informed consent was not obtained before the extraction of the nonfractured tooth.

2.4 The extraction of the wrong tooth caused Plaintiff personal injuries as a result of Defendant Dr. Ryan Cordero's actions.

2.5 The above-referenced acts of Defendant Ryan Cordero were negligent in that he extracted the wrong tooth and failed to treat the fractured tooth.

2.6 Defendant Ryan Cordero's actions were below the standard of care required by the laws of the state of Washington.

2.7 As a result of Defendant Ryan Cordero's negligence, Plaintiff was injured and suffered including but not limited to physical disability and pain, emotional trauma, medical expenses, and other damages.

2.8 Defendant Seamar Community Health Center is liable for employee Defendant Ryan Cordero's actions under *respondeat superior*.

2.9 Such damages to Plaintiff as herein described was foreseeable to Defendants at the time of the wrongful acts and omissions herein complained of.

III. LIMITED PHYSICIAN/PATIENT WAIVER

3.1 Plaintiff hereby waives the physician-patient privilege ONLY to the extent required by RCW 5.60.060, as limited by the Plaintiff's constitutional rights of privacy, contractual rights of privacy, and the ethical obligation of physicians and attorneys not to engage in *ex parte* contact between a treating physician and the patient's legal adversaries

IV. PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays as follows:

4.1 That Plaintiff be awarded general and specific damages against Defendant in an amount to be proven at trial for Defendant's negligence, including past and future medical expenses and other health care expenses; pain and suffering, both mental and physical, loss of enjoyment of life, past and future special damages, and interest calculated at the maximum amount allowable by law, including prejudgment interest.

4.2 For statutory attorney's fees, costs, and disbursements

4.3 For such other and further relief as the Court deems just and equitable.

DATED this July 16, 2021.

PARK CHENAUR & ASSOC., INC., P.S.



Andrew Kim
WSBA #49199
Attorney for Plaintiff